



08-08-08

RCE
STF

P/2107-264

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 5804

Ferdinand Hermann BAHLMANN et al.

Date: May 7, 2008

Serial No.: 10/522,426

Group Art Unit: 1654

Filed: March 25, 2005

Examiner: Thomas Sweeney Heard

For: **USE OF ERYTHROPOIETIN**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION

Sir:

This is a Request for Continued Examination (RCE) under the provisions of 37 C.F.R. § 114, of the above-identified application.

Check No. 28152 which includes the RCE fee of \$ 810.00 (large entity) and any extension/suspension fee, is enclosed herewith.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the under-payment to Deposit Account No. 15-0700.

If this communication is filed after a shortened statutory time period in said pending application had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

05/09/2008 HNGUYEN1 00000007 10522426

01 FC:1801

810.00 OP

☐ If checked, please enter and consider the Amendment previously filed on _____ under 37 C.F.R. § 1.116.

☒ If checked, an Amendment and/or Affidavit(s)/Declaration(s) and/or IDS is/are enclosed.

☐ If checked, please consider the arguments in the Appeal Brief and Reply Brief previously submitted.

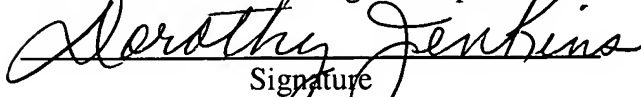
☐ If checked, suspension of action is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (3 maximum). A petition fee in the amount of \$200.00 is enclosed.

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label # EV 933191174 US) in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 7 2008

Dorothy Jenkins

Name of Person Mailing Correspondence



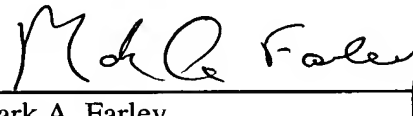
Signature

May 7, 2008

Date of Signature

MAF:jl

Respectfully submitted,



Mark A. Farley

Registration No.: 33,170

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700